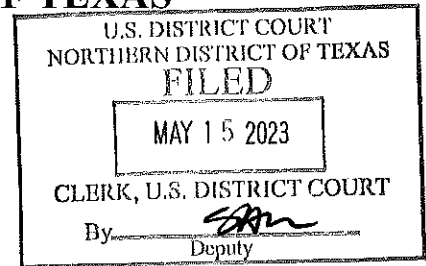


UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS

Fort Worth Division



4-23CV-474-0

Shomefun, Oluwaseun

Plaintiff

v. Tarrant county bail board;
City of Tarrant county;
AAA bail bond;
Immigration and Customs Enforcement(ICE);
Tarrant county sheriff department, and

Defendant Lasalle corrections

Civil Action No.

COMPLAINT

Jurisdiction

1. This action arises as a result of a denial of civil rights under 42 U.S.C. § 1983.
2. Jurisdiction is conferred on this court under the civil rights and human rights acts. 28 U.S.C. § 1391
3. The court has personal jurisdiction over the defendant because the incidents occurred within the confines of this court.

Venue

4. Venue is proper in the Northern District of Texas Pursuant to 28 U.S.C. § 1391.

Parties

5. Plaintiff Shomefun, Oluwaseun is a citizen of Nigeria. Plaintiff resides at Prairieland Detention Center, Alvarado, TX within the confines of this court. The alleged act or omission occurred in the Northern District of Texas.

Relief

6. As a result of the violation of my Fourth, Fifth, Eighth and Fourteenth Amendment by the actions of Thief, Fraud, Discrimination, abuse of power, physical and Emotional pain that are completely avoidable and unnecessary I am suing above defendants for money amount and the hopes that the civil/human rights of a set of people like myself.

Complaint cont. on page 28

* Attach additional pages as needed.

Date 05/05/2023

Signature

Print Name Shomefun, Oluwaseun

Address 1209 Sunflower LN.

City, State, Zip Alvarado, Texas. 76009

Telephone

I.

The Parties to This Complaint

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A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Shomegun, Oluwaseun

All other names by which
you have been known:

ID Number

Current Institution

Address

PrairieLand Detention Center (PDC)

1209 Sunflower LN

Alvarado

TX

76009

City

State

Zip Code

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (*if known*) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name

Tarrant County Bail Board

Job or Title (*if known*)

Shield Number

Employer

Address

Tarrant County Corrections Center
100 E Weatherford, Fort Worth
Fort Worth TX 76196

City

State

Zip Code

☐ Individual capacity ☐ Official capacity

Defendant No. 2

Name

City of Tarrant County

Job or Title (*if known*)

Shield Number

Employer

Address

100 E. Weatherford,
Fort Worth TX 76196

City

State

Zip Code

☐ Individual capacity ☐ Official capacity

Name

AAA Bail Bond

Job or Title (if known)

Shield Number

Employer

Address

400 E. Weatherford St. #106
Forth Worth TX 76102
City State Zip Code

☐ Individual capacity ☐ Official capacity

Defendant No. 4

Name

DHS/ICE Office of Chief Counsel - DAL

Job or Title (if known)

Shield Number

Employer

Address

125 E. John Carpenter Fwy. Ste. 500
Irving TX 75062-2324
City State Zip Code

☐ Individual capacity ☐ Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

- ☐ Federal officials (a *Bivens* claim)
☒ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

1. Fourth;
2. Fifth;
3. Eighth; and
4. Fourteenth Amendment of the constitution.

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

Please refer to complaints attached.

III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (check all that apply):

- ☐ Pretrial detainee
- ☐ Civilly committed detainee
- ☒ Immigration detainee
- ☐ Convicted and sentenced state prisoner
- ☐ Convicted and sentenced federal prisoner
- ☐ Other (explain) _____

IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.

- B. If the events giving rise to your claim arose in an institution, describe where and when they arose.

Tarrant County Jail, 100 E. Weatherford St., Fort Worth, Tx. 76102.
Sept. 26th 2022 to Oct. 3rd 2022 and Feb. 23rd 2023 to March 5th 2023

Sept. 26th 2022 to Oct. 3rd 2022 and
Feb. 23rd 2023 to March 5th 2023.

- D. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

Please refer to complaints attached.

V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

I am asking for money damages of \$1,000,000.00/day for the said civil/human rights violations listed in my complaints for Theft, Fraud, Discrimination, Psychological and Emotional pain I endured when I was wrongly detained amounting to \$15,000,875.00.
The 5 days of Sept. 26th 2022 to Oct. 3rd 2022, I was wrongfully detained amounting to \$5,000,000.00 and the 10 days from Feb. 23rd 2023 to March 5th 2023 when I was rearrested unnecessary also amounting to \$10,000,000.00.

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

☒ Yes

☐ No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

Tarrant County Jail

Praterland Detention Center (PDC)

B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

☒ Yes

☐ No

☐ Do not know

C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

☐ Yes

☒ No

☐ Do not know

If yes, which claim(s)?

Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

☒ Yes

☐ No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

☐ Yes

☐ No

E. If you did file a grievance:

1. Where did you file the grievance?

At Tarrant County Jail using the grievance paper form, through the facility tablet via the grievance app. At PDC sending a letter via the postal service, my phone call and directly to ICE officers.

2. What did you claim in your grievance?

That the process/procedure/decisions that lead to ~~many~~ re-arrest and incarceration on Feb. 23rd 2023 was a violation of my civil right and United States constitution.

3. What was the result, if any?

It was denied for the following reasons:
 1. That my complaint does not fall under the grievance guideline
 2. That the actions taken on me were valid and it could still occur.

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. (Describe all efforts to appeal to the highest level of the grievance process.)

The grievance process is complete. I have reached out to all authority I could but I am not getting a reply back. I am suing now because my new court date is approaching and I am trying to avoid a repeat of Feb. 23rd.

1. If there are any reasons why you did not file a grievance, state them here:

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

1. Tarrant County Jail judge - Feb. 24th 2023
2. Tarrant County Jail grievance - Feb. 27th 2023
3. ICE deportation officer D. Engle - April 3rd 2023
4. ICE SDOO officer - April 3rd 2023

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)

VIII. Previous Lawsuits

The "three strikes rule" bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has "on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this "three strikes rule"?

☐ Yes

☒ No

If yes, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.

Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

☐ Yes

☒ No

B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit

Plaintiff(s) _____

Defendant(s) _____

2. Court *(if federal court, name the district; if state court, name the county and State)*

3. Docket or index number

4. Name of Judge assigned to your case

5. Approximate date of filing lawsuit

6. Is the case still pending?

☐ Yes

☐ No

If no, give the approximate date of disposition. _____

7. What was the result of the case? *(For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)*

C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?

☐ Yes
☒ No

D. If your answer to C is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit

Plaintiff(s) _____

Defendant(s) _____

2. Court *(if federal court, name the district; if state court, name the county and State)*

3. Docket or index number

4. Name of Judge assigned to your case

5. Approximate date of filing lawsuit

6. Is the case still pending?

☐ Yes

☐ No

If no, give the approximate date of disposition _____

7. What was the result of the case? *(For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)*

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing:

05/05/2023

Signature of Plaintiff

Printed Name of Plaintiff

Prison Identification #

Prison Address

[Signature]
Shome Jim, Ohwaseun

1209 Sunflower Ln.
Alvarado

City

TX

State

76089

Zip Code

B. For Attorneys

Date of signing:

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address

Defendant No. 5

Name Tarrant County Sheriff Department
Job or Title
Shield Number
Employer
Address 6651 Lake Worth Blvd, Forth Worth, TX.76135

Defendant No. 6 Lasalle Corrections

Name
Job or Title
Shield Number
Employer
Address 1209 Sunflower LN, Alvarado, TX. 76009

Defendant No. 7

Name
Job or Title
Shield Number
Employer
Address

Defendant No. 8

Name
Job or Title
Shield Number
Employer
Address

Fact

7. I Shomefun, Oluwaseun do state that based on my recollection the following are true and accurate and I do believe my human and/or civil rights have been violated individually and/or collectively intentionally or by negligence by the defendant(s) during the period of Sept. 26th 2022 to Oct. 3rd 2022 and Feb. 23rd 2023 to March 5th 2023.
8. On Monday Sept. 26th 2022 around 9p at a parking lot on Ira E Woods Ave, Grapevine, TX I was approached by an officer **Debruno, M** while in a parked vehicle and after a few conversation with the officer, he arrested me on suspicion of Driving While Intoxicated(DWI) and took me to Grapevine police station.
9. The next morning of my arrest on Tuesday Sept. 27th 2022 and while in Grapevine jail I was told I needed to return a call from an **Immigration and Customs Enforcement(ICE)** agent, when I did the agent confirmed my identity and informed me he was putting an **ICE** detainer on me for violating my FI student visa by overstaying in the United State.
10. Later that morning of Tuesday Sept. 27th 2022 I was transported to the Tarrant county jail where I was processed and saw a judge at 9:05pm who then gave me a \$750.00 bail payable as cash/bond and in the next hour I got a hold of a phone in the holding cell, called my brother and he paid \$125.00 in form of credit/debit card with last 4 digit of 3450 over the phone to **AAA bail bond** located at 400 E Weathford st. #10, Forth Worth, TX 76102 with the expectation that **ICE** had 48hours to pick me up after **AAA bail bond** posted the bail.
11. Myself and my brother kept checking in to find out why the bail has not been processed and when the bail will be posted but was only told by the county staffs and **AAA bail bond** its as a result of an **ICE** detainer that is why I am unable to bail out without giving any solutions on how to make bail. This left us confused and frustrated while I stayed in Tarrant county jail not knowing what and how to proceed and thinking if there was no way to pay bail I was going to be spending an indefinite time in jail.
12. After asking every single officer in my unit who was there for a shift change and on the facility tablet with non of them giving me a definite or positive answer to my making bail, on Friday Sept. 30th 2022, Jane Doe 1, a black older female officer was on duty in my assigned unit and after asking her of my concern of not making bail she said with conviction that "due to the **ICE**

detainer on me the bail can only be paid in person and in the cash at the Tarrant county jail. Based on the information, I informed my brother and on Saturday Oct. 1st 2022, my brother came into the **Tarrant county** office and made a cash payment in the amount of \$750.00 which was accepted and he was informed at that point by the county officers that **ICE** had a 48hrs detainer on me and if **ICE** do not pick me up in the next 48hrs, only after then can I be released from jail.

13. On Monday Oct. 3rd around 8am I was processed for release but then handed over to two female Lasalle employee, Jane Doe 2 and Jane Doe 3 without reading me my rights transported me to the **Prairieland Detention Center(PDC)** and the next day around noon an **ICE** officer spoke to me and served me with an I862 – Notice to appear and I have been in **PDC** detained until morning of Thursday Feb. 23rd 2023.
14. Early Thursday Feb. 23rd 2023 around 7:30am I was woken up by **Mr. Rojo** of **PDC** and was told to pack up, I dashed to the phone quickly and made a call to my immigration attorney thinking I was being deported, there after I was prevented from making further calls to anyone including my family, without informing me where I was going I was handed over to another uniform officer by the name of **John Doe 1** who didn't say one word to me until I arrived at **Tarrant county** jail around 10:30am. Myself and other inmates went through the arrest and processing all day and night while being held in different holding cells till the next day on Friday Feb. 24th 2023 around 9:30am when I finally saw a judge who read me my rights and gave me a cash or bond of \$3,000.00. I did protest to the judge the validity of my arrest and the violation my Miranda rights but he was somewhat unclear to the process of my rearrest and informed me he was not sure on what was going on and should go and address it later, I left the court room and I didn't know who to address it with.
15. Although I was eligible for bond but due to an **ICE** detainer placed on me on my transfer to **Tarrant county** jail by **ICE**, I thought I should wait for a court date and try to face the charge against me. I waited until Friday 3rd March 2023 when I had my brother pay the bail of \$3000.00 cash as a result of my declining health due to the **Tarrant county** jail clinic refusing to give me medication I brought with me from **PDC**, stripped searched, bad meals in the jail, extremely cold temperature, the overall inhuman treatment of inmates and most importantly that after 8days of being in there I wasn't given a court date.
16. Due to the **ICE** detainer on me after payment of the bail, I was not released but read my rights

and informed of my 48hrs hold. On Sunday March 5th 2023 around 1am, I was woken up and taken for processing, an **ICE** officer by the name **John Doe 2** came and informed myself and other non-citizen we were now in **ICE** custody, yet again I informed him about my confusion on why I was brought to **Tarrant county** jail in the first place and then a detainer yet again placed on me for my return to ICE though my immigration proceeding is incomplete but he said due to the detainer I had to go with him to the **ICE** Dallas office maybe they could figure it out. Myself and other non-citizens were transported to the Dallas **ICE** office and arrived around 7am on the same day Sunday March 5th 2023 was put in a holding cell where I was processed and later transported to PDC arriving around 4:30pm. I was locked up in yet another holding cell with other non-citizen until midnight before my processing was completed around midnight and I was finally given a place to sleep around 1am.

17. Based on the above statements of events I am alleging that the following occurred and I am asking the court to also consider the following remedies to correct the violation of the **Forth, Fifth, Eight** and **Fourteenth Amendment** of the constitution of the United States of injustice and damages incurred during the previously stated times considering the following violations:
18. **Thief:** After the arrest of Monday Sept. 26th 2022 and the judge granting me a bond on Tuesday Sept. 27th 2022, the payment of \$125.00 was therefore giving to the **AAA bail bond** with the expectation of a service, to in turn make my bond to the **City of Tarrant county**. **AAA bail bond** did not make the bond to **Tarrant county** on my behalf neither did they refund the money to me till date after numerous calls which left me staying in jail for extended period, from Sept. 27th 2022 to Oct. 2nd 2022, 7 days when I didn't have to be there. For this reason I am holding **AAA bail bond** responsible for intentionally taking the deposit of \$125.00 to bond me out knowing fully well that bond was not accepted when an inmate has an **ICE** detainer with **Tarrant county bail board** and **Tarrant County Sheriff Department** accountable in that order for a deliberate and hash policy of not allowing non-citizens(myself included) equal rights allowable by the constitution of the United States to bail out but rather pay cash in place of bond which as made me stay longer than expected in jail.
19. I find that both defendants **AAA bail bond, Tarrant county bail board and Tarrant county sheriff department** accountable in that order for independently or together making me stay longer in jail than expected for 5 additional days excluding the **ICE** 48hrs detainer that was mandatory amounting to \$X,XXX,XXX.

20. **Fraud:** On Thursday Feb. 23rd 2023 when I was moved from PDC to the moment I was able to get back on March 5th 2023, I am alleging that **ICE, Tarrant County bail board, Tarrant county sheriff** and **Mr. Rojo** independently or as a position of employment with Lasalle corrections defrauded me in the amount of \$750.00 and \$3,000.00 by allowing me to be prematurely re-arrested while I was in their custody without an arrest warrant presented to me at anytime during the arrest due to a bench warrant I was not aware of issued by the Tarrant county judge as a result of not appearing for my court date which was due to my **ICE** detention and **Tarrant county** handing me over to **ICE** originally on Oct. 3rd 2022. After my transfer to **ICE** on Monday Oct. 3rd 2022 a background check was done by **ICE** agent and I never had any law enforcement warrant or investigations pending but the warrant that arise out of the Tarrant county judge should not have been honored prematurely or at-all knowing fully well I was in detention due to a civil issue with **ICE** when the warrant was issued on the charge I originally had with the **City of Tarrant county** who transferred my custody to **ICE**. If I was not in **ICE** detention, I would have honored my court date and the consequences leading to my arrest, processing and imprisonment in the county jail between Feb. 23rd 2023 and March 5th 2023 for 10 days will not have occurred, I will not have forfeited my \$750.00 original bond and there after ordered to pay \$3,000.00 new cash bond, arrested on record, processed, deprived of my prescription medication and prevented from sleeping over 24hrs due to the process for two separate nights of Thursday Feb. 23rd 2023 and Sunday March 5th 2023. "A pretrial detainee's claims of unconstitutional conditions of confinement are governed by the Due Process Clause of the **Fourteenth** Amendment, rather than the Cruel and Unusual Punishments Clause of the **Eight** Amendment." Darnell v. Pineiro, 849 F.3d 17, 29 (2d Cir. 2017). This is so because "[p]retrial detainees have not been convicted of a crime and thus 'may not be punished in any manner-neither cruelly and unusually nor otherwise.'" Iqbal v. Hasty, 490 F.3d 143, 168 (2d Cir. 2007) (quoting Benjamin v. Fraser, 343 F.3d 35, 49 (2d Cir. 2003)).
21. For the arrest on Feb. 23rd 2023, I am alleging that my Eight and Fourteen amendment rights of Cruel and Unusual punishment which states "Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted." and realizing the only thing that changed in my new bond was monetary, my forfeiting \$750.00 and paying \$3000.00, a payment seeming more than a ransom than enforcement of the law and I am holding the defendants in that order above responsible for an amount of \$X,XXX,XXX.XX.

22. **Discrimination:** As a result of only permitting cash bond for release from jail, I believe that the **Tarrant county bail board** and **Tarrant county sheriff department** is intentionally discriminating against non-citizen and I further allege that the act is intentional and bias against black and brown people of decent who are seeking migration in different capacity. By making non-citizens who have a pending civil proceeding pay cash bond rather than an option of bails bond, it gives room for detainees in the **Tarrant county** who are non-citizens to stay longer in jail due to the inability of not being able to cash bond. In other instances non-citizens end of just pleading out of there criminal cases on the first plea deal that comes to them even when they are not guilty in some instances and avoid the long court process while staying in jail because they were unable to pay cash bond.
23. According to Edwards V. Johnson, 209 F3d 772, 778 (5th Cir. 2000) "As an alien detainee awaiting removal, a defendant constitutional rights should be equivalent to those of a pretrial detainee. A pretrial detainee's constitutional claims are evaluated under the due process clause of the **fourteenth** amendment's protection against cruel and unusual punishment." As a result of these deliberate policy I hold **Tarrant County bail board** and **Tarrant county sheriff department** responsible for discrimination of my **civil rights** due to discrimination for the amount of \$X,XXX,XXX.XX.
24. **Abuse of power/authority:** If the judge in Tarrant county recognize the need to give me bail on Sept. 27th 2022 according to rule of law and equal rights protection, if **Tarrant county** after accepting the cash bond then knowingly honored **ICE** request for detainer, the expectation is for me to handle what ever issues I have with **ICE**. I am not deportable out of the United States yet, I am still in the 'removal proceeding', **ICE** collusion with **Tarrant county sheriffs** to transfer me back is both premature, unnecessary deliberate not to achieve the rule of law but to inflict more pain and suffering on me even though they are still pending misdemeanor charge but not a conviction thereby abusing their position of power. I consider this to be deliberate because after informing my deportation officer the harshness of the action of Feb. 23rd 2023 with the hopes it will not repeat itself again, he responded saying "Regarding the matter of your pending criminal case, ICE does not have any control over that. If Tarrant County issues another warrant for your arrest, then ICE may consider turning you over to their custody on that warrant."
25. This actions negatively impacted me and I am holding **Tarrant county bail board, City of Tarrant county, AAA bail bond, ICE, Tarrant county sheriff department, and Lasalle**

corrections responsible. The cash bail system set up just for non-citizens violates the Due Process and Equal Protection clauses of the **Fourteenth Amendment** and for the abuse of power for the amount of \$X,XXX.XXX.XX and with the hopes that the policy in place to make a subset of people facing already difficult life changing challenges of deportation even harder.

26. **Psychological and Emotional pain:** The arrest on Feb. 23rd 2023 and the events there after is the reason I am filing this lawsuit and seeking relief because I strongly believe it should not have happened. On a similar circumstance when a bench warrant is issued in a criminal case, all a defendant need to do is walk to the court house, show the judge a valid reason(in my case, an ICE detention) for not showing up to court hearing and in majority of such cases the defendant is excused and a new court date is set. In my case I didn't have such opportunity as I was subjected to sleepless nights on the day of my arrest Feb. 23rd 2023 and March 5th 2023 when I was returned to **PDC**. In addition to that I was deprived of medication that different doctors have prescribed, the uncertainty has to what will be happening to me. When I was first woke up early on Feb. 23rd 2023 I thought my worse fear of being deported was about to happen, and my first call before anything else was to my immigration attorney. Staying in jail when I shouldn't have been at the time not having a court date and the fact that my court date finally came while in PDC and scheduled for Monday April 3rd 2023, if I didn't bail out when I did, I would have been in jail for 39days just for my first hearing in court when I should have had a chance like every other defendant in a criminal case to defend his/her allegation(misdemeanor) out of detention.

27. As a result of all this and more, I hold **Tarrant county bail board, City of Tarrant county, AAA bail bond, ICE, Tarrant county sheriff department, and Lasalle corrections** in that order responsible for my civil rights violation, my **Fourth, Fifth, Eight and Fourteenth constitutional Amendment** violation, public record arrest abuse, psychological, emotional, pain and suffering I had to endure and still enduring as a result of the unnecessary actions the defendants independently or collectively did inflict on me.

Conclusion

28. This lawsuit is filed at the appropriate time and its a preemptive approach I had to make to stop the injustice that happened on Feb. 23rd from happening again. After the bond payment and transfer back to **PDC** on Sunday March 5th 2023, I had yet another court date for the **DWI** charge with Tarrant county on April 3rd 2023 but we were able to plead with the judge to move the date

forward, lucky enough this time he did now it is Friday May 5th 2023 with no guarantee he will postpone my court date again. I do not have a guarantee the previous action will not happen again by the defendants which will end up leading to another possible arrest and so on if and when the county judge puts a warrant on me.

29. My intention is not to minimize the DWI charge against me but the honest fact is that it is a traffic offense which I still intend to defend in court and I feel terrible that I put myself and family in such circumstance, but does a traffic offense warrant the unjust and additional humiliation that the defendants meant on me and still decide that they can put me through in future.

Prayer

The 5days between Sept. 26th 2022 to Oct. 3rd 2022, I was wrongfully detained amounting to \$5,000.000 and the 10days from Feb. 23rd 2023 to March 5th 2023 when I was rearrested also amounting to \$10,000.000. There was also a \$125 deposit paid to AAA bail bond, \$750 and \$3000 cash bond I paid. I am suing for money damages of \$1,000.000/day for the said charges listed in my complaint for Theft, fraud, discrimination, psychological and emotional pain I endured when I was wrongly detained amounting to \$15,003,875.00.

Jury Demand

Pursuit to federal Rule of Civil Procedure 38(b), Plaintiff Shomefun, Oluwaseun hereby demands a trial by jury as to all issues so triable.

Respectfully Submitted,

Copy expected to be filled
by the court.

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CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

DEFENDANTS

(b) County of Residence of First Listed Plaintiff

(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

(c) Attorneys (Firm Name, Address, and Telephone Number)

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff (For Diversity Cases Only) and One Box for Defendant)

- Citizen of This State ☐ 1 ☐ 4 Incorporated or Principal Place of Business In This State
- Citizen of Another State ☐ 2 ☐ 5 Incorporated and Principal Place of Business In Another State
- Citizen or Subject of a Foreign Country ☐ 3 ☐ 6 Foreign Nation ☐ 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input checked="" type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Brief description of cause:

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$15,000,000.00

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See Instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

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U.S. District Court
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Fort Worth, TX 76102-3643

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